IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 7772 OF 2007

Smt. Tejaswini Avinash Patil .... Petitioner

versus

Additional Commissioner, Pune Division, Pune and others. ..... Respondent.

Shri S.S. Patwardhan for the petitioner.

CORAM; A.P. DESHPANDE, J.
DATED; 19TH OCTOBER, 2007

P.C.;

1. The petitioner's nomination form came to be rejected by the Returning Officer and aggreived thereby the petitioner filed an election appeal before the Additional Commissioner, Pune. The Appellate Authority has dismissed the appeal which order is challenged by filing the instant writ petition.

2. I am informed that even the stage of publication of the names of contesting candidates has been over and what remains is actual voting which is scheduled to take place on 28th October 2007. Having regard to the pausity of time, it is not possible to decide the election petition before the said date without obstructing or halting the election process which is

not permissible. In the result, I decline to interfere with the impugned order at this stage. However, it is made clear that it will be open for the petitioner to file appropriate election petition after declaration of the election result. Hence writ petition is summarily dismissed.

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